

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

RICKKE L. GREEN,)	
)	
Petitioner,)	
)	
vs.)	NO. CIV-93-702-D
)	
)	
DAN REYNOLDS, Warden,)	
)	
Respondent.)	

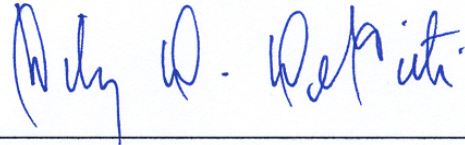
ORDER

Before the Court is the Petitioner's Notice of Appeal and Request for a Certificate of Appealability [Doc. No. 60]. Petitioner intends to appeal this Court's March 7, 2008 Order [Doc. No. 57] denying his motion for relief pursuant to Fed. R. Civ. P. 60(b)(4) and transferring the motion to the Tenth Circuit Court of Appeals for its consideration as a potential second or successive petition for habeas relief.

In his current request, Petitioner seeks a certificate of appealability to the extent such certificate is required to pursue his appeal. To obtain a certificate of appealability, he must make a "substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). He must also show that "reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong." Miller-El v. Cockrell, 537 U. S. 322, 349 (2003). The court concludes that, with respect to the claims he asserts, petitioner has failed to show that reasonable jurists would find the decisions at issue debatable or wrong. Thus, to the extent a certificate of appealability is

required, his request [Doc. No. 60] is DENIED.

IT IS SO ORDERED this 25th day of March, 2008.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE